

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

GEOSCOPE TECHNOLOGIES PTE. LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 1:22-cv-01373-MSN-JFA

DEMAND FOR JURY TRIAL

APPLE INC.'S ANSWER TO THE COMPLAINT FOR PATENT INFRINGEMENT

Defendant Apple Inc. (“Defendant” or “Apple”), by and through its attorneys, respectfully submit this Answer and Defenses to the Complaint for Patent Infringement (Dkt. 1) (“Complaint”) of Geoscope Technologies PTE. Ltd. (“Plaintiff” or “Geoscope”). Defendant responds in numbered Paragraphs corresponding to the numbered Paragraphs of the Complaint, and in doing so, denies the allegations of the Complaint, except as specifically stated. Except as otherwise admitted in this Answer, Apple denies each and every allegation in the Complaint. Any express admission below is admitted only as to the particularly identified fact(s) and not as to any purported conclusions, characterizations, implications, or speculations that may arguably follow from the admitted fact(s). Apple further denies that Plaintiff is entitled to the relief requested or any other relief.

I. THE PARTIES¹

1. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1, and therefore denies these allegations.

2. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2, and therefore denies these allegations.

3. Apple admits that it is a corporation organized under the laws of the State of California. Apple denies that its principal place of business is at 1 Infinite Loop, Cupertino, California 95014. Apple admits that it conducts and has conducted business operations within the jurisdictional boundaries of the Eastern District of Virginia.

II. JURISDICTION AND VENUE

4. Apple admits that the Complaint purports to be a patent infringement action arising under the Patent Laws of the United States, 35 U.S.C. §§ 271 and 281, *et seq.* Apple denies that Plaintiff has stated a legally sufficient claim for patent infringement, and further specifically denies any infringement.

5. Apple admits this Court has subject matter jurisdiction over claims of patent infringement pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Apple admits it has a regular and established place of business in this district, including a retail location at 11937 Market Street, Reston VA 20190, and admits that it has employees at physical retail locations in this District. Apple also admits that it posts job openings for positions in Apple's retail locations in various locations in Virginia and positions for "Campus Leader[s]" for students attending Virginia State University and Virginia Union University, and a

¹ For ease of reference, the headings from Plaintiff's Complaint are used herein. Such use is for convenience, and does not indicate that Defendant admits or agrees with any text of any heading reused herein.

position for an “Apple Support College Program” for students attending Norfolk State University. Apple also admits that it has not sought to dismiss other actions against it in this District based on a lack of personal jurisdiction in those actions, but denies the remaining allegations in this paragraph and denies that the Eastern District of Virginia is the most convenient forum.

7. Apple admits it has a regular and established place of business in this district, including a retail location at 11937 Market Street, Reston VA 20190, admits that it has employees at physical retail locations in this District, and posts job openings for positions in this District, but denies the remaining allegations in this paragraph.

8. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8, and therefore denies these allegations.

9. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9, and therefore denies these allegations.

10. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10, and therefore denies these allegations.

11. Apple denies the allegations in Paragraph 11.

III. THE ASSERTED PATENTS

12. Apple admits that U.S. Patent No. 7,561,104 (the “’104 Patent”) is entitled “METHOD TO MODIFY CALIBRATION DATA USED TO LOCATE A MOBILE UNIT,” and that the patent cover sheet states that the ’104 Patent was issued on July 14, 2009. Apple admits that the cover sheet states that the ’104 Patent claims priority to U.S. Provisional Patent Application No. 60/899,379 (the “’379 Provisional”), filed on February 5, 2007. Apple admits that a document purporting to be a copy of the ’104 Patent is attached to the Complaint as Exhibit A. Apple denies the remaining allegations of Paragraph 12.

13. Apple denies the allegations of Paragraph 13.

14. Apple denies the allegations of Paragraph 14.

15. Apple admits that U.S. Patent No. 8,400,358 (the “’358 Patent”) is entitled “METHOD TO MODIFY CALIBRATION DATA USED TO LOCATE A MOBILE UNIT,” and that the patent cover sheet states that the ’358 Patent was issued on March 19, 2013. Apple admits that the cover sheet states that the ’358 Patent states that it is a continuation of the application that issued as the ’104 Patent, and that the cover sheet states that the ’358 Patent claims priority to the ’379 Provisional, filed on February 5, 2007. Apple admits that a document purporting to be a copy of the ’358 Patent is attached to the Complaint as Exhibit B. Apple denies the remaining allegations of Paragraph 15.

16. Apple denies the allegations of Paragraph 16.

17. Apple denies the allegations of Paragraph 17.

18. Apple admits that U.S. Patent No. 8,786,494 (the “’494 Patent”) is entitled “METHOD TO MODIFY CALIBRATION DATA USED TO LOCATE A MOBILE UNIT,” and that the patent cover sheet states that the ’494 Patent was issued on July 22, 2014. Apple admits that the cover sheet states that the ’494 Patent states that it is a continuation of the application that issued as the ’358 Patent, and that the cover sheet states that the ’494 Patent claims priority to the ’379 Provisional, filed on February 5, 2007. Apple admits that a document purporting to be a copy of the ’494 Patent is attached to the Complaint as Exhibit C. Apple denies the remaining allegations of Paragraph 18.

19. Apple denies the allegations of Paragraph 19.

20. Apple denies the allegations of Paragraph 20.

21. Apple admits that U.S. Patent No. 8,406,753 (the “’753 Patent”) is entitled “SYSTEM AND METHOD FOR GENERATING A LOCATION ESTIMATE USING UNIFORM AND NON-UNIFORM GRID POINTS,” and that the patent cover sheet states that the ’753 Patent was issued on March 26, 2013. Apple admits that the cover sheet states that the ’753 Patent claims priority to the ’379 Provisional, filed on February 5, 2007. Apple admits that a document purporting to be a copy of the ’753 Patent is attached to the Complaint as Exhibit D. Apple denies the remaining allegations of Paragraph 21.

22. Apple denies the allegations of Paragraph 22.

23. Apple denies the allegations of Paragraph 23.

24. Apple admits that U.S. Patent No. 9,097,784 (the “’784 Patent”) is entitled “SYSTEM AND METHOD TO COLLECT AND MODIFY CALIBRATION DATA,” and that the patent cover sheet states that the ’784 Patent was issued on August 4, 2015. Apple admits that the cover sheet states that the ’784 Patent claims priority to the ’379 Provisional, filed on February 5, 2007. Apple admits that a document purporting to be a copy of the ’784 Patent is attached to the Complaint as Exhibit E. Apple denies the remaining allegations of Paragraph 24.

25. Apple denies the allegations of Paragraph 25.

26. Apple denies the allegations of Paragraph 26.

27. Apple admits that U.S. Patent No. 8,320,264 (the “’264 Patent”) is entitled “METHOD AND APPARATUS FOR DETERMINING PATH LOSS BY ACTIVE SIGNAL DETECTION,” and that the patent cover sheet states that the ’264 Patent was issued on November 27, 2012. Apple admits that the cover sheet states that the ’264 Patent claims priority to U.S. Provisional Patent Application No. 60/681,475 (the “’475 Provisional”), filed on May 17, 2005.

Apple admits that a document purporting to be a copy of the '264 Patent is attached to the Complaint as Exhibit F. Apple denies the remaining allegations of Paragraph 27.

28. Apple denies the allegations of Paragraph 28.

29. Apple denies the allegations of Paragraph 29.

30. Apple denies the allegations of Paragraph 30.

IV. FACTUAL ALLEGATIONS

A. Introduction

31. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 31, and therefore denies these allegations.

32. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 32, and therefore denies these allegations.

33. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 33, and therefore denies these allegations.

34. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 34, and therefore denies these allegations.

35. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35, and therefore denies these allegations.

B. Location-based Services, Geolocation of Mobile Devices, and the Asserted Patents

36. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 36, and therefore denies these allegations.

37. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 37, and therefore denies these allegations.

38. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 38.

39. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 39, and therefore denies these allegations.

40. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 40, and therefore denies these allegations.

41. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 41, and therefore denies these allegations.

42. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 42.

43. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 43, and therefore denies these allegations.

44. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 44, and therefore denies these allegations.

45. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 45, and therefore denies these allegations.

46. Apple lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 46, and therefore denies these allegations.

47. Apple denies the allegations of Paragraph 47.

48. Apple denies the allegations of Paragraph 48.

49. Apple denies the allegations of Paragraph 49.

50. Apple denies the allegations of Paragraph 50.

51. Apple denies the allegations of Paragraph 51.

52. Apple denies the allegations of Paragraph 52.

53. Apple denies the allegations of Paragraph 53.

54. Apple denies the allegations of Paragraph 54.

55. Apple admits that the '358 Patent includes claims 1 and 41, but Geoscope's citation in Paragraph 55 is an incomplete recitation of claims 1 and 41 and an inaccurate quotation of claim 41, and therefore Apple denies the accuracy of the language in paragraph 55.

56. Apple admits that the '494 Patent includes claims 1 and 25, but Geoscope's citation in Paragraph 56 is an incomplete recitation of claims 1 and 25 and an inaccurate quotation of claim 25, and therefore Apple denies the accuracy of the language in paragraph 56.

57. Apple denies the allegations of Paragraph 57.

58. Apple denies the allegations of Paragraph 58.

59. Apple denies the allegations of Paragraph 59.

60. Apple denies the allegations of Paragraph 60.

61. Apple denies the allegations of Paragraph 61.

62. Apple admits that the '753 Patent includes claim 1, but Geoscope's citation in Paragraph 62 is an incomplete recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 62. Apple denies the remaining allegations of Paragraph 62.

63. Apple denies the allegations of Paragraph 63.

64. Apple denies the allegations of Paragraph 64.

65. Apple denies the allegations of Paragraph 65.

66. Apple denies the allegations of Paragraph 66.

67. Apple denies the allegations of Paragraph 67.

68. Apple denies the allegations of Paragraph 68.

69. Apple admits that the '784 Patent includes claim 1, but Geoscope's citation in Paragraph 69 is an incomplete and inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 69. Apple denies the remaining allegations of Paragraph 69.

70. Apple denies the allegations of Paragraph 70.

71. Apple denies the allegations of Paragraph 71.

72. Apple denies the allegations of Paragraph 72.

73. Apple denies the allegations of Paragraph 73.

74. Apple denies the allegations of Paragraph 74.

75. Apple denies the allegations of Paragraph 75.

76. Apple denies the allegations of Paragraph 76.

77. Apple denies the allegations of Paragraph 77.

78. Apple denies the allegations of Paragraph 78.

C. The Accused Instrumentality

79. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple also admits that it provides a feature it calls Location Services. Apple denies the remaining allegations of Paragraph 79.

80. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 80.

81. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 81.

82. Apple denies the allegations of Paragraph 82.

D. Apple's Acts of Infringement

83. Apple denies the allegations of Paragraph 83.

84. Apple denies the allegations of Paragraph 84.

85. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 85.

86. Apple denies the allegations of Paragraph 86.

87. Apple denies the allegations of Paragraph 87.

88. Apple denies that it has had actual knowledge of the '753 Patent since prior to the filing of this Complaint. Apple admits that the '237 Application is the publication of the application that issued as the '753 Patent. Apple admits that the '237 Application appeared on a "[I]st of references cited by the examiner" during the prosecution of Apple's U.S. Patent No. 8,347,210 and U.S. Patent No. 10,243,710 on March 9, 2012 and July 12, 2012, respectively. Apple further admits that the referenced July 12, 2018 "[I]st of references cited by examiner,"

postdates the '753 Patent's issuance on March 26, 2013. Apple denies the remaining allegations of Paragraph 88.

89. Apple denies that it has had actual knowledge of the '264 Patent since prior to the filing of this Complaint. Apple admits that the '171 Application is the publication of the application that issued as the '264 Patent. Apple admits that the '171 Application appeared on a "[l]ist of references cited by the examiner" during the prosecution of Apple's U.S. Patent No. 9,179,244 on September 19, 2014. Apple admits that the referenced September 19, 2014 "[l]ist of references cited by examiner" postdates the '264 Patent's issuance on November 27, 2012. Apple denies the remaining allegations of Paragraph 89.

90. Apple denies that it has had actual knowledge of other patents related to the Asserted Patents via the claim of priority to the '379 Provisional since prior to the filing of this Complaint. Apple admits that the '018 Patent appeared on a "[l]ist of references cited by examiner" during the prosecution of Apple's U.S. Patent No. 8,903,414 on March 4, 2014. Apple denies that the '018 Patent was cited by Apple in an Invention Disclosure Statement on September 14, 2015 during the prosecution of Apple's U.S. Patent No. 9,400,321. Apple admits that the '018 Patent appeared on a "[l]ist of references cited by applicant and considered by examiner" during the prosecution of Apple's U.S. Patent No. 9,400,321 on March 24, 2016. Apple denies the remaining allegations of Paragraph 90.

91. Apple denies that the '018 Patent was cited by Apple in an Invention Disclosure Statement on May 5, 2015 during the prosecution of Apple's U.S. Patent No. 9,408,178. Apple admits that the '018 Patent appeared on a "[l]ist of references cited by applicant and considered by examiner" during the prosecution of Apple's U.S. Patent No. 9,408,178 on December 2, 2015. Apple denies that the '018 Patent was cited by Apple in an Invention Disclosure Statement on

December 8, 2015 during the prosecution of Apple's U.S. Patent No. 9,791,572. Apple admits that the '018 Patent appeared on a "[l]ist of references cited by applicant and considered by examiner" during the prosecution of Apple's U.S. Patent No. 9,791,572 on January 12, 2016. Apple denies the remaining allegations of Paragraph 91.

92. Apple denies the allegations of Paragraph 92.

93. Apple denies the allegations of Paragraph 93.

94. Apple denies the allegations of Paragraph 94.

95. Apple denies the allegations of Paragraph 95.

96. Apple denies the allegations of Paragraph 96.

97. Apple admits that Plaintiff attached what appears to be copies of the '104, '358, '494, '753, '784, and '264 Patents to Plaintiff's Complaint and that Plaintiff filed a certificate of service indicating service on Apple's representative of the Complaint and its exhibits. Apples denies the remaining allegations of Paragraph 97.

V. COUNT ONE – (INFRINGEMENT OF U.S. PATENT NO. 7,561,104)

98. Apple incorporates and realleges its answers to Paragraphs 1 through 97.

99. Apple denies the allegations of Paragraph 99.

100. Apple admits that the '104 Patent includes claim 1, but Geoscope's citation in Paragraph 100 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 100.

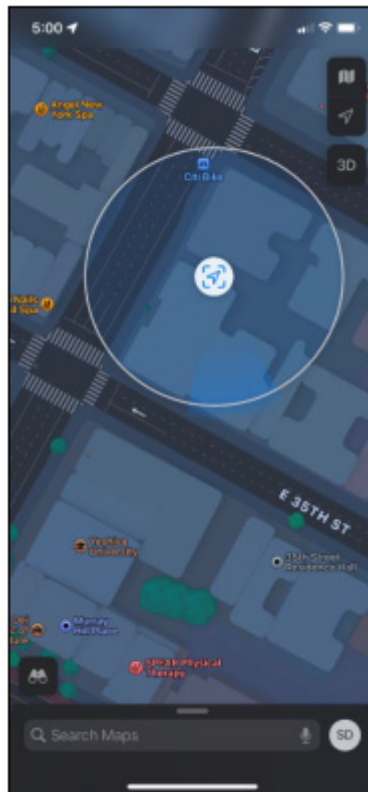
101. Apple denies the allegations of Paragraph 101.

102. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 102.

103. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 103.

104. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 104.

105. Apple denies the allegations of Paragraph 105.



106. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple lacks

knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 106. Apple denies the remaining allegations of Paragraph 106.

107. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 107.

108. Apple admits that the '104 Patent includes claim 11, but Geoscope's citation in Paragraph 108 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 108.

109. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 109.

110. Apple denies the allegations of Paragraph 110.

111. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 111.

112. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 112.

113. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of

those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 113.

114. Apple denies the allegations of Paragraph 114.

115. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 115.

116. Apple denies the allegations of Paragraph 116.

117. Apple denies the allegations of Paragraph 117.

VI. COUNT TWO – (INFRINGEMENT OF U.S. PATENT NO. 8,400,358)

118. Apple incorporates and realleges its answers to Paragraphs 1 through 117.

119. Apple denies the allegations of Paragraph 119.

120. Apple admits that the '358 Patent includes claim 1, but Geoscope's citation in Paragraph 120 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 120.

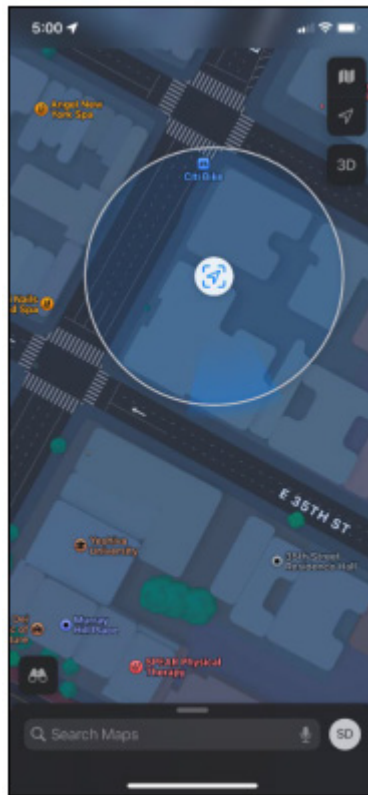
121. Apple denies the allegations of Paragraph 121.

122. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 122.

123. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the

URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 123.

124. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 124.



125. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple lacks knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 125. Apple denies the remaining allegations of Paragraph 125.

126. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 126.

127. Apple admits that the '358 Patent includes claim 10, but Geoscope's citation in Paragraph 127 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 127.

128. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 128.

129. Apple admits that the '358 Patent includes claim 41, but Geoscope's citation in Paragraph 129 is an inaccurate recitation of claim 41, and therefore Apple denies the accuracy of the language in paragraph 129.

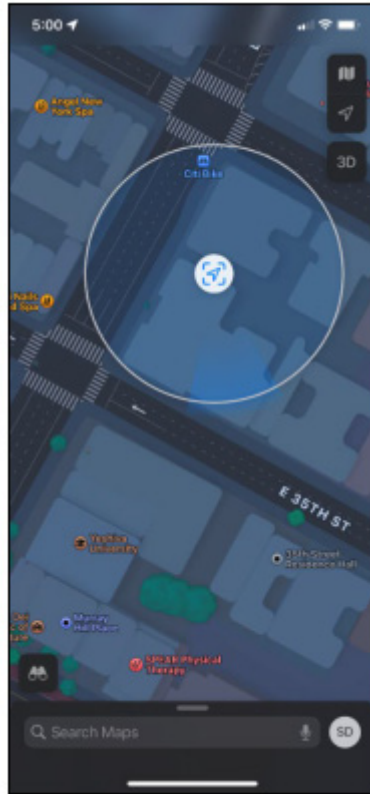
130. Apple denies the allegations of Paragraph 130.

131. Apple denies the allegations of Paragraph 131.

132. Apple denies the allegations of Paragraph 132.

133. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 133.

134. Apple denies the allegations of Paragraph 134.



135. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple lacks knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 135. Apple denies the remaining allegations of Paragraph 135.

136. Apple denies the allegations of Paragraph 136.

137. Apple admits that the '358 Patent includes claim 52, but Geoscope's citation in Paragraph 137 is an inaccurate recitation of claim 52, and therefore Apple denies the accuracy of the language in paragraph 137.

138. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 138.

139. Apple denies the allegations of Paragraph 139.

140. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 140.

141. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 141.

142. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 142.

143. Apples denies the allegations of Paragraph 143.

144. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 144.

145. Apple denies the allegations of Paragraph 145.

146. Apple denies the allegations of Paragraph 146.

VII. COUNT THREE – (INFRINGEMENT OF U.S. PATENT NO. 8,786,494)

147. Apple incorporates and realleges its answers to Paragraphs 1 through 146.

148. Apple denies the allegations of Paragraph 148.

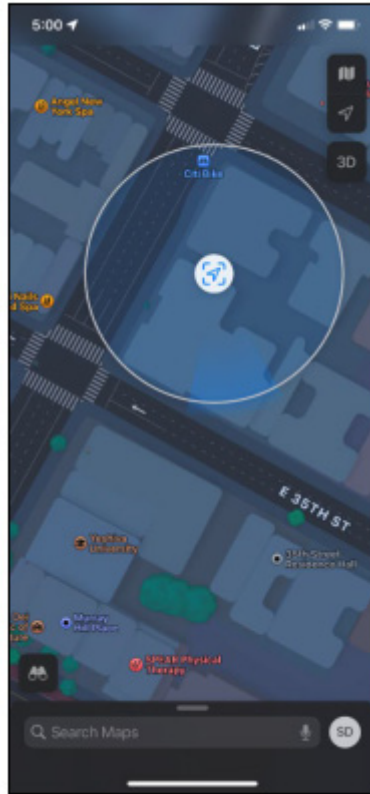
149. Apple admits that the '494 Patent includes claim 1, but Geoscope's citation in Paragraph 149 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 149.

150. Apple denies the allegations of Paragraph 150.

151. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 151.

152. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 152.

153. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 153.



154. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple lacks knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 154. Apple denies the remaining allegations of Paragraph 154.

155. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 155.

156. Apple admits that the '494 Patent includes claim 9, but Geoscope's citation in Paragraph 156 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 156.

157. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 157.

158. Apple admits that the '494 Patent includes claim 25, but Geoscope's citation in Paragraph 158 is an inaccurate recitation of claim 25, and therefore Apple denies the accuracy of the language in paragraph 158.

159. Apple denies the allegations of Paragraph 159.

160. Apple denies the allegations of Paragraph 160.

161. Apple denies the allegations of Paragraph 161.

162. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 162.

163. Apple denies the allegations of Paragraph 163.



164. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple lacks knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 135. Apple denies the remaining allegations of Paragraph 164.

165. Apple denies the allegations of Paragraph 165.

166. Apple admits that the '494 Patent includes claim 35, but Geoscope's citation in Paragraph 166 is an inaccurate recitation of claim 35, and therefore Apple denies the accuracy of the language in paragraph 166.

167. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 167.

168. Apple denies the allegations of Paragraph 168.

169. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 169.

170. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 170.

171. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 171.

172. Apple denies the allegations of Paragraph 172.

173. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 173.

174. Apple denies the allegations of Paragraph 174.

175. Apple denies the allegations of Paragraph 175.

VIII. COUNT FOUR – (INFRINGEMENT OF U.S. PATENT NO. 8,406,753)

176. Apple incorporates and realleges its answers to Paragraphs 1 through 175.

177. Apple denies the allegations of Paragraph 177.

178. Apple admits that the '753 Patent includes claim 1, but Geoscope's citation in Paragraph 178 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 178.

179. Apple denies the allegations of Paragraph 179.

180. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 180.

181. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 181.

182. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 182.

183. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://developer.apple.com/documentation/corelocation>) contains the quotation cited. Apple denies the remaining allegations of Paragraph 183.

184. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 184.

185. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 185.

186. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 186.

187. Apple admits that the '753 Patent includes claim 9, but Geoscope's citation in Paragraph 187 is an inaccurate recitation of claim 9, and therefore Apple denies the accuracy of the language in paragraph 187.

188. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 188.

189. Apple denies the allegations of Paragraph 189.

190. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 190.

191. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 191.

192. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of

those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 192.

193. Apple denies the allegations of Paragraph 193.

194. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 194.

195. Apple denies the allegations of Paragraph 195.

196. Apple denies the allegations of Paragraph 196.

IX. COUNT FIVE – (INFRINGEMENT OF U.S. PATENT NO. 9,097,784)

197. Apple incorporates and realleges its answers to Paragraphs 1 through 196.

198. Apple denies the allegations of Paragraph 198.

199. Apple admits that the '784 Patent includes claim 1, but Geoscope's citation in Paragraph 199 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 199.

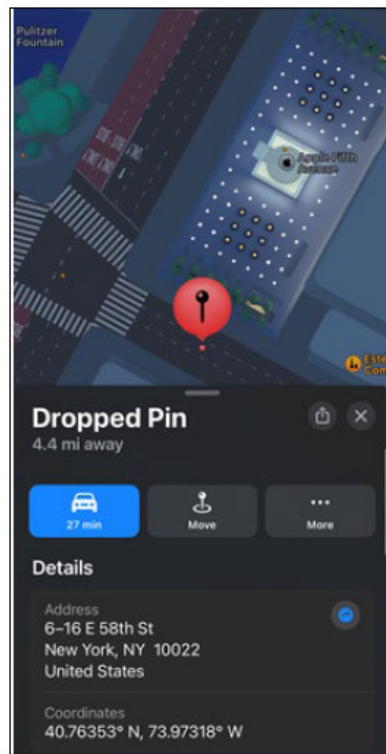
200. Apple denies the allegations of Paragraph 200.

201. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 201.

202. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 202.

203. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 203.

204. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 204.



205. Apple lacks knowledge or information sufficient to form a belief regarding the authentication of the purported screenshot in Paragraph 205. Apple denies the remaining allegations of Paragraph 205.

206. Apple denies the allegations of Paragraph 206.

207. Apple denies the allegations of Paragraph 207.

208. Apple denies the allegations of Paragraph 208.

209. Apple denies the allegations of Paragraph 209.

210. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 210.

211. Apple admits that the '784 Patent includes claim 2, but Geoscope's citation in Paragraph 211 is an inaccurate recitation of claim 2, and therefore Apple denies the accuracy of the language in paragraph 211.

212. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 212.

213. Apple denies the allegations of Paragraph 213.

214. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 214.

215. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 215.

216. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 216.

217. Apple denies the allegations of Paragraph 217.

218. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 218.

219. Apple denies the allegations of Paragraph 219.

220. Apple denies the allegations of Paragraph 220.

X. COUNT SIX – (INFRINGEMENT OF U.S. PATENT NO. 8,320,264)

221. Apple incorporates and realleges its answers to Paragraphs 1 through 220.

222. Apple denies the allegations of Paragraph 222.

223. Apple admits that the '264 Patent includes claim 1, but Geoscope's citation in Paragraph 223 is an inaccurate recitation of claim 1, and therefore Apple denies the accuracy of the language in paragraph 223.

224. Apple denies the allegations of Paragraph 224.

225. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://www.apple.com/legal/privacy/data/en/location-services/>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 225.

226. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 226.

227. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 227.

228. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 228.

229. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 229.

230. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 230.

231. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 231.

232. Apple admits that the '264 Patent includes claim 3, but Geoscope's citation in Paragraph 232 is an inaccurate recitation of claim 3, and therefore Apple denies the accuracy of the language in paragraph 232.

233. Apple admits that as of the date of this undersigned Answer, the cited Apple webpage (<https://support.apple.com/en-us/HT203033>) contains the quotation cited. Apple denies that Apple's statement to the U.S. House of Representatives is available at the URL link provided in Geoscope's Complaint. Apple denies the remaining allegations of Paragraph 233.

234. Apple denies the allegations of Paragraph 234.

235. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 235.

236. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 236.

237. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 237.

238. Apple denies the allegations of Paragraph 238.

239. To the extent the allegations in this Paragraph purport to describe the actions of third parties, Apple lacks knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations. Apple denies the remaining allegations in Paragraph 239.

240. Apple denies the allegations of Paragraph 240.

241. Apple denies the allegations of Paragraph 241.

JURY DEMAND

242. Apple admits that Plaintiff has requested a jury trial. Apple denies that Plaintiff has raised any valid claim in the Complaint. If this case proceeds to trial, Apple also requests a jury trial on all issues so triable, including its defenses.

PRAYER FOR RELIEF

No response is required to Plaintiff's request for relief. To the extent that a response is deemed required, Apple has not infringed, directly or indirectly, any valid and enforceable claim of the '104, '358, '494, '753, '784, and '264 Patents, and Plaintiff is not entitled to the requested relief identified in items 1-21 of its Prayer for Relief, or any other relief in connection with this civil action. Plaintiff's request should therefore be denied in its entirety and with prejudice.

DEFENSES

Pursuant to Federal Rule of Civil Procedure 8(c), Apple asserts the following defenses. Assertion of a defense is not a concession that Apple has the requisite burden of proof. In addition to the defenses described below, Apple expressly reserves the right to allege additional defenses, including unenforceability of the asserted patents as warranted by facts learned through investigation and discovery.

FIRST DEFENSE (FAILURE TO STATE A CLAIM)

Plaintiff's Complaint fails to state facts sufficient to constitute a claim upon which relief can be granted.

SECOND DEFENSE (NON-INFRINGEMENT)

Apple has not infringed and does not directly infringe, literally or by application of the doctrine of equivalents, either willfully or otherwise, any claim of any of the '104, '358, '494, '753, '784, and '264 Patents ("Asserted Patents"), nor does Apple indirectly infringe either literally or by application of the doctrine of equivalents, any claim of any of the Asserted Patents.

THIRD DEFENSE (PATENT INELIGIBILITY AND INVALIDITY)

The asserted claims of the Asserted Patents, as properly construed, are ineligible, invalid,

void, and/or unenforceable for failure to comply with one or more of the statutory requirements of or conditions for patentability specified by Title 35 of the United States Code, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, 112, and/or the doctrine of non-statutory double-patenting.

FOURTH DEFENSE
(DISCLAIMER AND PROSECUTION HISTORY ESTOPPEL)

Plaintiff is precluded from construing any valid claim of any of the Asserted Patents to be infringed, literally or under the doctrine of equivalents, due to admissions, arguments, amendments, representations, and/or statements made to the U.S. Patent and Trademark Office (a) during prosecution of any of the Asserted Patents, (b) in the specifications and claims of any of the Asserted Patents, and/or (c) during the prosecutions of patents and applications related to any of the Asserted Patents.

FIFTH DEFENSE
(STATUTORY LIMITATION ON DAMAGES)

Plaintiff's right to seek damages or costs is limited, including, without limitation, by 35 U.S.C. §§ 286, 287, and 288. To the extent that Plaintiff, its alleged predecessor(s)-in-interest to any of the Asserted Patents, or any licensee of any of the Asserted Patents failed to properly mark any of their relevant products as required by 35 U.S.C. § 287 or otherwise give proper notice that Apple's actions allegedly infringed any claim of any of the Asserted Patents, Apple is not liable to Plaintiff for the acts alleged to have been performed by Apple before it received actual notice of alleged infringement.

SIXTH DEFENSE
(NO ENHANCED DAMAGES; NO ATTORNEYS' FEES)

Plaintiff is not entitled to enhanced damages under 35 U.S.C. § 284, at least because Plaintiff has failed to show, and cannot show, that any infringement has been willful and/or knowing. Plaintiff is not entitled to an award of attorneys' fees under 35 U.S.C. § 285, at least

because Plaintiff has failed to show, and cannot show, that this case is “exceptional” in Plaintiff’s favor as would be required by the statute.

**SEVENTH DEFENSE
(NO COSTS)**

Under 35 U.S.C. § 288, Plaintiff is precluded from recovering costs associated with this action.

**EIGHTH DEFENSE
(EQUITABLE DEFENSES)**

Plaintiff’s claims for relief are barred, in whole or in part, due to waiver, equitable estoppel and/or acquiescence because they or their predecessors-in-interest have long known of the basis for the allegations they now assert against Apple, but unreasonably delayed the seeking of relief. *See, e.g., A.C. Aukerman Co. v. R.L. Chaides Constr. Co.*, 960 F.2d 1020, 1042 (Fed. Cir. 1992) (en banc); *Hynix Semiconductor Inc. v. Rambus Inc.*, 645 F.3d 1336, 1348 (Fed. Cir. 2011). Further, on information and belief, Plaintiff’s claims are barred in whole or in part by the doctrines of implied license, patent misuse, and/or other equitable remedies.

**NINTH DEFENSE
(ENSNAREMENT)**

To the extent that Plaintiff alleges that Apple infringes the Asserted Patents by equivalents, Plaintiff’s claims are barred or limited by the doctrine of ensnarement.

**TENTH DEFENSE
(TERRITORIALITY)**

To the extent Plaintiff’s claims are directed to acts occurring outside the United States, those claims are barred or limited by the doctrine of territoriality set forth by 35 U.S.C. § 271 *et seq.*, including, but not limited to, § 271(a) and (c).

ELEVENTH DEFENSE
(LACK OF STANDING)

To the extent Plaintiff lacks all substantive right to bring suit and to exclude others from practicing the claims of one or more of the Asserted Patents, Plaintiff's claims are barred by a lack of standing.

TWELFTH DEFENSE
(GOVERNMENT SALES)

Plaintiff's remedies are limited by 28 U.S.C. § 1498(a).

Dated: January 10, 2023

Respectfully submitted,

/s/ Brian M. Buroker

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LAW OFFICE OF CRAIG C. REILLY

Counsel for Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2023, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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